

REMARKS

Claims 1, 13 and 24 are amended herein. Claims in the instant case are Claims 1-28. No new matter has been introduced.

Allowable Subject Matter

Applicants wish to thank the Examiner for indicating allowable subject matter. The Examiner has indicated that Claims 5, 6, 9, 12, 18, 20 and 25 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants respectfully request that the Examiner consider the following discussion which the Applicants believe to overcome the rejections of record.

102(b) Rejection

Claims 1, 3-4, 7-8, 10-11, 13-17, 19, 21-22, 24, and 26-28 are rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent 6,243,074 to Fishkin et al. The Applicants have reviewed the cited reference and respectfully assert that the embodiments of the present invention as recited in Claims 1, 13 and 24 as amended, are not anticipated or suggested by Fishkin and that Claims 3-4, 7-8, 10-11, 14-17, 19, and 26-28 as they depend from independent Claims 1, 13 and 24 and recite additional embodiments of the present claimed invention, are not anticipated or suggested by Fishkin.

Independent Claim 1 has been amended herein to recite that an embodiment of the present invention is directed to:

“A portable computer system comprising:
a bus;
a processor coupled to said bus;
a housing comprising a dielectric elastomer
electronic muscle material, said dielectric elastomer
electronic muscle material, when moved, causing said
processor to behave in a prescribed manner.
a display device coupled to said bus and for providing
a visual display; and
wherein said processor implements a user interface
for controlling said display.” (emphasis added)

Claims 3-4, 7-8 and 10-11 are dependent on Claim 1 and recite further features of the present claimed invention.

In contrast to the present claimed embodiments, Fishkin does not teach or suggest the limitation of Claim 1 in which the portable computer system comprises “a dielectric elastomer electronic muscle material for causing said processor to behave in a prescribed manner when handled....” The section cited by the Examiner fails to teach or suggest the claimed dielectric elastomer electronic muscle material. Fishkin does not mention an “electronic muscle material” nor does he mention such material being a dielectric elastomer. Rather, Fishkin teaches a deformable material having embedded or contact pressure/deformation sensors. This material specified by Fishkin is clearly not a dielectric elastomer electronic muscle material as specified by Applicant in Claim 1. See Column 4, lines 66-67 and Column 5, lines 1-4. Nowhere in this explanation is a dielectric elastomer electronic muscle material taught or suggested. Given that the material of Fishkin has various pressure and thermal sensors mounted within in a sensor mesh (Column 4, lines 66-67), it is unclear how the material taught by Fishkin can possibly suggest the dielectric elastomer

electronic muscle material as claimed, which provides these functionalities natively.

In other words, the material taught by Fishkin actually teaches away from the claimed electronic muscle material because the deformable material of Fishkin needs to add embedded contact sensors to operate. In contrast, the claimed electronic muscle material provides these functionalities natively. Therefore, the material taught by Fishkin does not teach or suggest the embodiment of Claim 1.

Applicants respectfully assert that there is no basis for concluding that the device of Fishkin, or any of the other elements of Fishkin, use a portable computer system having a housing comprising a dielectric elastomer electronic muscle material in the manner of Claim 1; specifically, in a portable computer system as recited in independent Claim 1 as amended herein. Applicants further submit that Fishkin does not teach or suggest the present claimed invention as recited in Claims 3-4, 7-8, and 10-11 that are dependent on Claim 1. Accordingly, Applicants respectfully assert that Claims 3-4, 7-8, and 10-11 overcome the rejection under 35 U.S.C. § 102(b).

Independent Claims 13 and 24 recite similar limitations to those of Claim 1 argued above, and Applicants respectfully re-assert each and every point argued above regarding the rejections of Claim 1 that the present invention as recited in Claims 13 and 24, as amended, are not anticipated by Fishkin. Applicants further

submit that Fishkin does not teach or suggest the present claimed invention as recited in Claims 14-17, 19, 21-22, and 26-28 that are dependent on Claims 13 and 24.

Moreover, dependent Claims 10 and 17 teach a portable computer system wherein "...the electronic muscle material vibrates at a frequency as specified by said processor for use as a speaker." The portable computer system, as claimed, is neither taught or suggested by Fishkin. Fishkin teaches a feedback display based on internal auditory speakers that emit sounds. Thus, it is necessary to equip Fishkin's electronic muscle with speakers which teaches away from the claimed portable computer system in which the electronic muscle becomes a speaker. Clearly Fishkin does not teach a material vibrating at a frequency for use as a speaker as taught in Claims 10 and 17. Thus, Applicants respectfully assert that embodiments of the present invention, as recited in Claims 10 and 17, are not anticipated by Fishkin.

103 Rejection

Claims 2 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fishkin (US Patent No. 6,243,074) in view of Henty (US Patent No. 55,838,138). Applicants have reviewed the cited references and respectfully assert that the present invention as recited in Claims 2 and 23 is not anticipated nor rendered obvious by the combination of Fishkin and Henty, and that the present claimed invention is therefore patentable over Fishkin in view of Henty.

Applicants respectfully re-assert each and every point argued above regarding the rejections of independent Claims 1 and 13 under 35 U.S.C. § 102(e). Applicants thus respectfully re-assert that, as amended herein, Claims 1 and 13 incorporate subject matter including “a portable computer system having a housing comprising... a dielectric elastomer electronic muscle material” (emphasis added). Fishkin teaches a deformable material having embedded or contact pressure/deformation sensors, but nowhere does Fishkin teach or suggest the limitation of a dielectric elastomer electronic muscle material. Further, Henty only teaches a mechanical power converter for a portable electronic device and nowhere does Henty mention an electronic muscle material, much less a dielectric elastomer electronic muscle material. Applicants further submit that Fishkin in combination with Henty does not teach or suggest the embodiments as recited in Claims 2 and 23 that are dependent on Claims 1 and 13. Therefore, there is no suggestion or instruction within the combination of Fishkin and Henty to realize the claimed embodiments of Claims 2 and 23. Thus, Applicants respectfully submit that the combination of Fishkin and Henty does not teach or suggest the embodiments of the present invention as recited in Claims 2 and 23.

CONCLUSION

Based on the arguments presented above, it is respectfully asserted that Claims 1, 3-4, 7-8, 10-11, 13-17, 19, 21-22, and 26-28 overcome the rejections of record and, therefore, allowance of these Claims is respectfully solicited.

Applicants have reviewed the following references which were cited but not relied upon and do not find these references to show or suggest the present claimed invention:US/6,160,540 and US 6,411,283.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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